

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheets" of drawings include changes to Figures 20-21. The attached "Replacement Sheets," which include Figures 19-21, replace the original sheets including Figures 19-21.

Attachment: Replacement Sheets

### **REMARKS**

Claims 1-3, 5-12, and 14-28 are now pending in the application. Claims 1, 2, 10, and 11 are currently amended. Claims 19-28 are new. Claims 4 and 13 are cancelled. Support for the foregoing amendment can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **DRAWINGS**

The drawings stand objected to for certain informalities. Applicant has attached revised drawings for the Examiner's approval. In the "Replacement Sheets," the legend "Prior Art" has been included for Figures 20-21. A similar change was made to Figures 17-19 in Applicant's prior response. Appropriate correction having been made, the drawings should now be in condition for acceptance.

### **CLAIM OBJECTIONS**

Claims 10-11 and 14-17 are objected to for certain informalities regarding the term "STA." Applicant has defined the term "STA" as "station" in independent claims 10-11. Appropriate correction having been made according to the Examiner's suggestion, the claim objections should be withdrawn.

### **REJECTION UNDER 35 U.S.C. § 112**

Claim 2 stands rejected under 35 U.S.C. § 112 as having insufficient antecedent basis for a limitation in the claim. Applicant has amended claim 2 to specify “each acknowledgment packet transmission time.” Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants Admitted Prior Art (“AAPA”). Claims 2 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Odman (U.S. Pat. No. 2003/0210710 A1) (“Odman”) and Brockmann (U.S. Pat. No. 2003/0133469 A1) (“Brockmann”). These rejections are respectfully traversed.

It is believed that the previously presented claims are patentably distinct over these cited references. However, in order to expedite prosecution of this application, independent Claims 1, 2, 10 and 11 have been amended to incorporate the limitations of objected to Claims 4, 4, 13, and 13, respectively. Accordingly, Applicant respectfully requests the Examiner reconsider and withdraw this rejection.

### **NEW CLAIMS**

The Examiner states that claims 4, 9, 13 and 18 would be allowable if rewritten in independent form. New independent claims 19 and 22 have been added to the application. These claims recite the subject matter of objected to claims 9 and 18, respectively, and therefore are in condition for allowance.

New claims 25-28 have also been added to the application. Claims 25 and 26 recite subject matter of previously presented claim 3; whereas, claims 27 and 28 recite subject matter of previously presented claim 12. Thus, these new claims do not present new issues for consideration by the Examiner.

With regard to claims 25-28, these claims present unique features in the processes of Step S13 in Fig. 3, which are shown in detail as Steps S35, S36 and S37 of Fig. 4 (see, page 28, line 14, to page 30, line 5). In particular, previously presented claims 3 and 12 correspond to these steps. The unique features of the Steps S35, S36 and S37 are described in the Specification as follows:

In Step S34, all the data packets having the substantially same packet time lengths as that of the head data packet are selected. In Step S35, it is identified whether data packets not selected in Step S34 exist in the transmission buffer 22 or not. When there is any data packet, the process proceeds to the next step S36. Otherwise, the process proceeds to Step S38... .. Subsequently, in Step S36, for the respective data packets remaining on the transmission buffer 22 which are not selected in Step S34 and for all the selectable transmission rates lower than the transmission rate acquired from the transmission rate management block 32, the packet lengths are obtained, respectively... .. In Step S37, the packet time lengths of transmission rates of the respective data packets obtained in Step S36 are compared to the packet time length of the head data packet obtained in Step S33. Then, the data packets having the substantially same packet time lengths as the head data packet are selected. [Emphasis added]

The above processes represent the ideas for finding a lot of data packets for simultaneous transmission and improving the throughput (as mentioned in page 9, lines 19-24, of the Specification), and are well beyond the scope of the assumptions in AAPA and/or the cited reference Kazumasa. Therefore, claims 25-28 define patentable subject matter over these references. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of these claims.

## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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